

THE NATIONAL REGISTER.

No. 5. VOL. V.]

WASHINGTON CITY, JANUARY 31, 1818.

[VOL. I. FOR 1818

PUBLISHED EVERY SATURDAY, BY JOEL K. MEAD, AT FIVE DOLLARS PER ANNUM.

THE NAVY.

We perceive by the proceedings of Congress that a member from Virginia proposes to amend the act for the better government of the navy—and particularly the two following articles: viz.

14. "No officer or private in the navy shall disobey the lawful orders of his superior, or strike him, or draw, or offer to draw, or raise any weapon against him, while in the execution of the duties of his office, on pain of death, or such other punishment as a court martial shall inflict."

20. "No commanding officer shall, of his own authority, discharge a commission or warrant officer, nor strike, nor punish him otherwise than by suspension or confinement, &c. any commanding officer herein offending shall be punished at the discretion of a court martial."

From the prefatory observations of the member we are to infer that the amendments contemplated by him, are to punish equally all offences of the same nature. This is so perfectly just that no person ought to object to it, and it is presumed no person will:—but we would ask the gentleman, what article of the act in question makes the *odious* distinction to which he refers? Is it to be found in those referred to by him? certainly not.—The offences provided against in those two articles are essentially different—they differ more than the punishments therein assigned to them. What are the offences contemplated?

The 14th article provides against one of the most atrocious offences that can be committed—disobedience of lawful orders; striking, or drawing a weapon against a superior officer, while in execution of the duties of his office. This most unquestionably is a case of *mutiny*, and the law declares it shall be punished with death, or such other punishment as a court martial shall inflict.

The 20th article is intended to secure the inferior officer:—if any commanding officer shall strike or punish him, otherwise than by suspension, &c. such commanding officer shall be punished at the discretion of a court martial. What is the offence here provided against? Is it mutiny? No! A superior cannot commit an act of mutiny against his inferior, for mutiny is a rising against lawful authority, which is always deposited with the superior. A blow from a superior to an inferior officer is an assault, which on shore is punishable by fine or imprisonment; and in the navy a court martial may inflict any punishment which, in the exercise of its sound discretion, may appear

adapted to the case—it may dismiss, reprimand, suspend from command, if not sentence to death.

Surely no one will say that mutiny and an assault are offences of the same nature, and ought to be punished alike. The gentleman, in his observations, appears to confound all distinctions.—He says, substantially, a blow is a blow, and there is no more offence in a junior striking a senior officer, than in a senior striking his junior. Now we have already shown that there is an essential difference; but in the one case a blow is a blow, and in the other an assault. And it will be found that each offence has its appropriate punishment provided for it.

It will, we presume, be conceded that every depository of authority should be protected in the lawful exercise of that authority; that an attempt by inferiors, on board of a public vessel, to prevent the exercise of such authority, is an offence infinitely exceeding in atrocity, and in its national consequences, a blow from man to man. Hence the honorable member may infer the fitness and propriety, if not the indispensable necessity, of punishing an inferior officer for striking his superior, while on public duty, more severely than you punish one citizen for striking another.

On shore a citizen has no superior, but if he accept a commission in the army or navy, he voluntarily acknowledges that he has superiors, and he swears to obey them; and willingly subjects himself to all the pains and penalties attending an act of disobedience.

From the observations of the member, it would appear, that it has not occurred to him, that every officer in the navy, from the midshipman up to the commodore, has his superior; that it is possible even for the commodore (probably I will not admit) to infringe the 14th article, and that in such a case he might be sentenced to death. If he were to disobey the lawful orders of the President of the United States (who is commander in chief,) or strike him, or draw, or offer to draw, or raise any weapon against him, while in the execution of the duties of his office, he would come under the 14th article, and might suffer death; and who will say, he did not deserve it?

Thus it will be seen that every officer in the navy is subject to the law in question. The inferior must obey the superior—the midshipman must obey the lieutenant—the lieutenant the captain—the captain the commodore—and the commodore must obey the President. The law protects every officer in the exercise of his duties.

It providently guards the few against the many—it maintains discipline and subordination—change its features as the honorable gentlemen proposes, and anarchy and disgrace will be the consequence.

Under this law, our navy has acquired its present honorable reputation. *Beware how you change it—experience has tested its wisdom.*

Although some of the arguments in the following communication, relative to the proceedings of congress against Col. Anderson, have already been adduced in our columns, yet we consider the arrangement of our correspondent, as deserving attention, and we are happy in laying it before our readers, as a corroboration of our sentiments.—However dormant public sentiment may appear at this moment, the day is not far distant, in our opinion, when the voice of the people will be loud for the investigation of these pretended privileges, which congress maintain they possess.—It is not *apathy* which is the cause of the present calm, it is because the case of Col. Anderson is not yet sufficiently before the people; when it is better known and understood, we shall hear the people speak in vindication of their own rights which have been violated in the person of Col. Anderson.

FOR THE NATIONAL REGISTER.

THE CASE OF COLONEL ANDERSON.

What are the facts in this case, and what proceedings have been had upon it?

The facts are—Colonel Anderson, having just claims against the government for about 9000 dollars, and representing the claims of others, probably equally just, for about 21,000 dollars, came to the city of Washington, with a petition to congress, praying that the claims might be allowed and paid. He accordingly presented his petition which was referred by the house of representatives to their committee of claims, of which, Mr. Lewis Williams, a member from North Carolina, is chairman. Upon the chairman devolves the arduous duty of examining particularly, every claim referred to the committee, and of drawing up reports thereon, and submitting them to the house. Colonel Anderson perceiving this, and being anxious to get his own claims, and those of others whom he represented, acted upon, by the committee of claims, with as little delay as possible, that he might return to his family and friends, tendered, in a letter, addressed to the chairman of the committee, the sum of 500 dollars, as a compensation to him for the "extra trouble," to which an early and luminous arrangement of the facts connected with the claims, would subject him. In an appeal the most sacred that man can make, colonel Anderson asseverates, that he made

this tender without any wish to influence the opinion of the chairman of the committee of claims, but solely with a view to compensate him for "extra trouble."

Mr. Williams, conceiving the letter addressed to him by colonel Anderson, as an attempt to bribe him, expressed his warm indignation, and laid the letter before the house of representatives as evidence of the fact. The house interpreting colonel Anderson's conduct, in writing and delivering the said letter, as "a breach of its privileges," caused, by its vote, a warrant to be issued by its speaker, founded, not upon oath or affirmation, but upon the letter in question, and the verbal communication of Mr. Williams, for the seizure of the person of colonel Anderson; who was accordingly brought to the bar of the house tried, condemned, and punished, by a vote of the house.

On the trial, colonel Anderson adduces the most respectable evidence of the purity, integrity, and philanthropy of his character, and of his zeal, gallantry, and sufferings, during the late war. Questions, obviously calculated to draw answers from him which might establish his guilt, and render him even more criminal than was alleged, were gravely propounded to him, by authority of the house—these he answered without hesitation.—The house designed (it is presumed) that his answers should be considered as evidence, and considering them in that light, he appears perfectly innocent of any guilty or criminal intention. It is my purpose, however, to inquire, on this occasion, whether colonel Anderson *was or was not* guilty of a crime—Let it be admitted that he was; and I ask, what were his rights, under the constitution of the United States? *The supreme law of the land!*

Adverting to that sacred charter of American liberty, which every member of congress is bound under the SOLEMNITY OF AN OATH to defend, I find

1st. That "no warrant can be issued, but upon probable cause, supported by oath or affirmation." See 4th amendment.

2d. That "no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury; excepting in cases arising in the army, navy, or militia, while in actual service, in time of war or public danger." See 5th amendment.

3d. That "no person shall be compelled in any criminal case, to be witness against himself, nor be deprived of life, liberty, or property, without due process of law." See 5th amendment.

4th. That "the trial of all crimes, except in cases of impeachment, shall be by jury." See 3d Art. 2d Sec.

5th. That "no bill of attainder or ex post facto law, shall be passed." 1st Art. 9th Sec.

These, my fellow freemen, are rights guaranteed by the constitution, to every citizen of the United States. The traitor, the pirate, the murderer, or the robber on the road side, are as fully entitled to them as the saint. Yet shall I declare it to you, each, and every one of these rights, have been withheld from col. Anderson. He was arrested under a warrant *not supported by oath or affirmation*—He was held to answer for an infamous crime, or a supposed one, without being *presented or indicted by a grand jury*—He was deprived of the benefit of *trial by jury*, and while on the trial, he was required in a criminal case, to be witness against himself; and then whilst giving in evidence *in his own favor*, was condemned under a denial of his offence; he was deprived of liberty without due process of law, and he has been punished in a manner calculated to overwhelm him, were it not for his own conscience, and the conviction of his friends, as regards his incapability to commit an act otherwise than *honorable*; and for what has he been punished? for an offence against any existing law? no—In vain you search the statute books; you can there find no law, against which, colonel Anderson has offended; or under which he could be tried for the *alleged* offence.

But the house of representatives say, "John Anderson has been guilty of a contempt and violation of our *privileges*;" and they declare, substantially, "*our privileges are paramount to the constitution of the United States*. When our sacred privileges are touched, the constitution is a dead letter, and can interpose no barrier to our vengeance!" And pray, gentlemen of the house of representatives, what are your privileges, that thus enable you to trample upon the *charter of our liberties*? If you be not traitors, felons, or peace breakers, you are privileged from arrest, during your attendance at the session of the houses, and in going to, and returning from the same—but if you be either *traitors, felons, or peace breakers*, your *sacred* persons may be seized by the common constable. I mean no offence, therefore, do not be angry; the constitution *supposes it possible*, that you may be *traitors, felons, or peace breakers*, although I do not. See VI. Sec. 1st Art. You may also determine the rule of your proceedings, punish your members for disorderly behavior; and if, *two thirds* of you agree, you may expel a member. See V. Sec. Art. I. These are all the privileges, with which you are invested by the constitution. These privileges you ought to enjoy, and use to their full extent, for your own freedom of debate, as well as to secure the freedom of vote, &c. &c. which might otherwise

be invaded; *thus far, and no farther, however, should ye go!!!*

I shall now put a few leading questions as regards the constitution of the United States, and touching the case of John Anderson; I call for it no imagery or flow of language, to seduce your attention, my fellow citizens; I merely display the *land marks* of our charter. You, as tenants of the soil, are bound to *preserve it* from infringement or violation; I therefore, proceed to ask:—

What are the rights of a criminal under the constitution of the United States?

Can his person be seized, but under a legal warrant, authorising and requiring it? No!

Is any warrant legal, that shall not have been *issued, upon probable cause*, supported by oath or affirmation? No!

Can a criminal be held to answer for a capital, or otherwise infamous crime, without being presented or indicted by a grand jury? No, (excepting he belongs to the army, or the navy, or the militia, in actual service, during war, or public danger.)

But when a criminal shall have been arrested, under a legal warrant, and shall have been regularly indicted by a grand jury, how is he to be tried? BY JURY.

When on his trial, can he be compelled to be witness against himself? No!

Whence are these answers derived? From the constitution itself.

The 4th amendment declares that "no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized." The 5th amendment declares that "no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment by a grand jury, excepting in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war, or public danger: nor shall be compelled in any criminal case to be witness against himself; nor be deprived of life, liberty, or property, without due process of law."

The 3d Art. of the 2d Sec. declares that, "the trial of all crimes, except in cases of impeachment, shall be by jury."

These, fellow freemen, are among our chartered rights, solemnly guaranteed to us by the constitution, the *supreme law of the land*.

Will it not be a matter of extreme concern with you to hear, that in violation of all these express provisions of the constitution, and in utter disregard of your sacred rights, a fellow citizen of these free states, has been VIOLENTLY ARRESTED in his person, under a WARRANT, which was NOT SUPPORTED BY OATH OR AFFIRMATION; and with-

any presentment or indictment by a grand jury, was held to answer for an alleged *infamous crime*, but which neither by law nor any article of the constitution, could be defined a crime of the lowest grade, was not only deprived of a trial by jury, but was actually tried, condemned and punished by a body of men, holding under the constitution no judicial attribute whatever, but simply a *co-participating legislative power*!! Will it not be a matter of great concern with you to hear, that with the full sanction of this body of men, thus acting as *prosecutor, judge and jury*, questions were propounded to this citizen, calculated to entrap him to become a witness against

The citizen in question, was accused of writing a letter, with criminal views, to a member of congress, in relation to certain claims of his own, and of others, against the government, and while on his trial, the following, among other questions, were put to him by the speaker.

What is the amount of those (claims) of others which you are soliciting?

Have you any interest in those claims?

Had you any authority from the persons you represent to make the offer contained in your letter?

Have you made any other offer to any person?

How then, stands our charter after this? Let us ask and bring home the question—Is it not something like, or bordering on that injustice, which drove the states, after long suffering, to war, and who thus declared their independence, and made this one of their great grievances—"For depriving us in many cases of the benefit of trial by jury."

AMERICANUS.

THE REPRIMAND.

We shall now draw the attention of our readers to the reprimand delivered by the speaker of the house of representatives to colonel Anderson, in pursuance of a resolution of the house.

Although we deny the constitutionality of this resolution, and protest against the authority exercised by the house, under what they term a *violation of their privileges*, yet the house having resolved that colonel Anderson should be reprimanded, it became the duty of the speaker, unless he denied also the constitutionality of the proceedings, to carry the resolution into effect. The house, however, had simply voted a reprimand for the action which John Anderson had committed in writing, and delivering a letter to Mr. Lewis Williams containing, according to the interpretation of Mr. Williams, and that of the majority of the house, offensive language.

The course to be pursued by the speaker was therefore plain. The alleged offence was defined, and existed in the letter itself, neither the writing nor delivery of which was denied by colonel Anderson, and all that the speaker was called upon to do by the resolution of the house was to tell John Anderson from the chair, that the indignation of the house was not appeased by the explanations he had made, but that they still considered the writing and delivery of the letter, let whatever might have been his motives, an offence against *their privileges*, and that they were highly displeased at the same, and thus recorded their displeasure. We do not pretend to dictate the language in which such reprimand should be couched, that must depend upon the feelings of the speaker's own bosom, and whether he looked upon John Anderson with sentiments of commiseration or those of bitterness and resentment, the public will judge.

The Gazette has said, if the speaker must reprimand colonel Anderson, "he could not have said less"—let us look into that assertion—let us inquire into what he did say:—In the second paragraph of the reprimand he thus addresses him:

The house has patiently heard you in your defence, and in proportion to the pleasure which it has derived from the concurrent testimonies in support of your character and good conduct heretofore, is its deep regret that you have deliberately attempted to commit a crime so entirely incompatible with the high standing you have heretofore maintained.

It will be recollected that immediately before this reprimand was pronounced, colonel Anderson had been interrogated, and in answer to the question whether by writing or delivering this letter he intended to offer a bribe to the honorable member, or any contempt to the house, he emphatically replied in the negative, under the solemnity of an appeal to Heaven for the truth of that declaration. How then, and with what justice, or under what pretence could the speaker accuse him of having *deliberately attempted to commit a crime*? When a man means not to offend, however much he may offend, he is not deliberately offending. If a man kill another by an accidental act, however mal advised, ridiculous, or ill timed that act may have been, he does not *deliberately* kill, neither is he guilty of murder with malice prepense. All that the speaker was called upon to do, was to reprimand him for writing and delivering the letter. He was not called upon to judge him, neither to pass sentence against him; and after having questioned a man and received evidence in his own favor, under oath or affirmation, even if he had been placed as a judge upon the bench, he was called upon to acquit instead of condemn. John Anderson was not condemned by

the house on any evidence produced against him, neither by his answers of the questions proposed to him, and which if he were guilty, were calculated to convict him. He was condemned by the house upon the letter produced against him by Mr. Williams, which he did not deny. The reprimand therefore should have extended no farther than the letter,—his motives had nothing to do with it, and whether he penned it deliberately, or wrote it without thought or reflection, (the latter of which is most probable,) it was foreign to the resolution of the house. The reproof was for writing the letter and delivering it, and that alone.

In the reprimand, therefore, of the speaker, there is more than what the house could have intended; it never could have meant to have said—John Anderson, you have not only committed a contempt upon our privileges, but you have also committed *perjury*. You have openly sworn in this house that you intended no contempt to the member or the house, in which you swore false. This was far from its intention, for if a man swear false he should receive such punishment as the law prescribes, whereas the house only sentenced Anderson to a reprimand.

The whole of this reprimand is in the same strain of accusation of Anderson's having *deliberately* committed a crime, with criminal intention, notwithstanding his oath to the contrary. Let it not here be conceived that we concede the point, and that to attempt to bribe a member of the house is a crime; we are only yielding it so far as to show that if it even were a crime, John Anderson did not merit the reprimand he received, he having solemnly denied his *intention* to commit any offence.

"You have the less apology for the attempt you have made, because you had yourself experienced the justice of this house but a few days before, by the passage of two bills in your favor, founded on petitions presented to the house. Your attempt to corrupt the fountain of legislation, to undermine the integrity of a branch of the national legislature, is a crime of so deep a dye that even you must acknowledge and be sensible of it."

The close of this paragraph is as much as to say—colonel Anderson, you are the most guilty of criminals, and notwithstanding you have sworn you were innocent, and laid perjury on your soul, there you stand convinced of your double guilt, and must acknowledge and confess it.

We say nothing of the paragraph preceding this, which is an accusation of ingratitude, (as this is not marked in the calendar of *statute crimes*), but the whole tenor of the reprimand bears strong testimony that the mind of the honorable gentleman who delivered it was highly charged with gall.

Again:—

"The house has seen with pleasure, that, at a

very early period after making your base offer, you disclaimed, with symptoms of apparent repentance and contrition, any intention to corrupt the integrity of a member."

Still the accusation of a base offer—still the determined incredulity, the irascible, the unforgiving judge,—that all which colonel Anderson could say or swear to, were nothing more than *symptoms of apparent contrition*. Not content with calling him a criminal and a perjured man, (by implication) and an ingrate. This is another stab, and makes him out also, a hypocrite.

To wind up, however, with consistency, this most inexorable of reprimands, to make it *quit*, *white* and *conspicuous* in no *paris*, something yet was wanting; and this was, that the punishment and disgrace inflicted, should not only be durable, but that it should possess the quality of *increase*, and when the unfortunate offender might dream of some mitigation of the sufferings he had passed through; that they should rise up in that terrible array against him, as to make him believe himself the most guilty and abandoned of beings, who had *hitherto* strove to think himself both innocent and injured. Thus continues the honorable speaker—"In directing me to pronounce your discharge, the house *indulges the hope that*, on your return home, you will be more fully convinced of the *magnitude of your offence*, and by the future tenor of your life endeavor to obliterate, as far as it may be possible, the stain your conduct on this occasion has impressed on the high and honorable character you appear to have previously sustained." That on his return home, on entering into the bosom of his family, embracing those objects, rendered doubly dear to him, by the recollection of those deprivations and miseries, they each suffered, and participated in, by the horrors of an Indian war; at that moment, when peace and tranquility might be supposed to approach his dwelling; at that moment, when humanity might say, here old man of many sorrows, you may repose amongst the sympathy of your friends, is the hope *indulged by* the honorable speaker, that he may be rent with anguish and believe that which might make any honorable man a *maniac*; that he was a *guilty wretch*, suffering under the *curse* and anathemas of his country.

Thus closes the reprimand, beyond which, in severity, there is nothing on record. It strives to stamp him a deliberate criminal of the *highest grade*; if language convey sense, it would accuse him of *perjury, hypocrisy, and ingratitude*. It *indulges* in the hope of a prolongation, and an increase of punishment; and that at a future period he may be more fully convinced of the "magnitude of an offence," which under oath *sol. An-*

derson declares he never meant to commit—And “less than this,” the Gazette says, the honorable speaker could not do, if he reprimanded at all.—*More than this; Great God!* can there be more? If the Gazette would wish to read a heavier judgment, he must descend to the regions of RHADAMANTHUS, for on this earth there is no judge so inexorable that could “out top” this most cruel, this most unrelenting of reprimands!!!

INDIAN NEWS.

Milledgeville, Jan. 13.

Governor Rabun received the following important despatch from General Gaines on yesterday, dated at Head Quarters, Hartford, (G.) Jan. 8, 1818.

Sir—I received on my way to this place the 5th inst. from Lieutenant Colonel Arbuckle, reports of the state of his command up to the 21st of December—by which I learn that the detachment with transports under Major Muhlenburg had been attacked about thirty miles below Fort Scott by a force of Indians and blacks, estimated at from 3 to 1200—that the firing had continued from both sides of the river from the 15th to the 19th of December, and that our loss amounted to two killed and thirteen wounded—the loss of the enemy not known. The vessels were so fortified with bulwarks as to secure our troops from the enemy’s shot, except when carrying out the anchors to warp, or when working with the rigging. The loss of a vessel is not apprehended—nor will the delay be likely to produce any serious consequences to our troops above—their supplies being sufficient for some time beyond the period at which others I have ordered, and have reason to believe are on the way, are expected to arrive, and which will be taken up the river in keel boats, secured against the enemy’s shot.

A small work commanded by captain McIntosh, 12 miles above Fort Scott, had been attacked and surrounded for several days, by a large party—but though the captain’s force amounted to no more than forty, he maintained his works without the loss of a man. The Indians finding themselves unable to make any impression upon the work or garrison, and having suffered from our shot, retired. Captain McIntosh’s command has since been withdrawn.

A friendly chief, Wm. Perryman, having raised a considerable party of warriors on the Chatahoochee, for the purpose of protecting the friendly traders below the line, and of aiding our troops, was attacked by the hostile party, and is supposed to have fallen, with Messrs. Hambly and Doyle. It is reported, that most of the party were forced, (perhaps willingly,) to join the enemy.

I have received information that a party of Indians entered the settlement near Trader’s Hill, a few days past, killed a woman, whose name I have not learned, and took off some three or four negroes.

I had previously ordered a detachment of artillery, with two companies of the militia, drawn from General Floyd’s division, to take post at Trader’s Hill, for the defence of that settlement. I have reason to believe the artillery arrived at the Hill about the time the murder was commit-

ted, and the militia soon after, and that the Indians were pursued.

The residue of the militia taken from major general Floyd’s division, (five companies) are ordered to this place, for the purpose of reinforcing general Glascock’s command, excepting one company, which will be posted near the Big Bend of Ocmulgee.

The detachment under brigadier general Glascock, delayed by rainy weather, bad roads, and want of punctuality in the contractor’s department, will not be able to form a junction with the United States’ troops at Fort Scott before the 24th of the present month—and as a great part of the detachment will probably be disposed to return home soon after the end of the month, there is reason to apprehend the time will be too limited to make such an impression upon the savages, (which one decisive victory would effect) as to put an end to the war, and leave them convinced that their future safety will depend alone upon the strict observance of peace on their part.

I have therefore to request the favor of your excellency, to furnish an additional detachment of militia, to consist of four battalions of infantry, with four companies of riflemen to assemble at this place on the first of the next month, prepared for a three months’ tour of duty, in the service of the United States.

I shall make arrangements for the necessary supplies to be in readiness at this place in due time, for arming, equipping, and subsisting the detachment.

I have the honor to be, with high consideration and respect, your most obedient servant,

E. P. GAINES, maj. gen. com’g.

His Ex. Gov. Rabun.

[The troops called for, we understand, will be detached from Byne’s, Bells, (of Oglethorpe) and Glascock’s brigades.]

Copy of a letter from General Mitchell, agent of Indian affairs, to the governor of Georgia, dated Creek Agency, 8th Jan. 1818.

Sir—The messenger who was sent below to propose terms of peace to the Seminoles has returned; and the inclosed is the substance of his report, which I received by express.

The friendly chiefs and warriors are to meet me at this place on the 11th inst. and I have great hopes that our differences with the Seminoles can, with their assistance, be adjusted.

I understand that much apprehension prevails about the safety with which travellers can pass through the nation. It is my opinion that there is not the least danger in travelling the road from Fort Hawkins to the Alabama, by this place, and Fort Mitchell, but, I would not advise travellers to use the road from Fort Perry to Fort Gaines; or indeed any road as low down as Fort Gaines for the present.

I am, with high respect and esteem, your very obedient servant,

D. B. MITCHELL, Agent I. A.

His Ex. WM. RABUN, Governor, &c.

“Fort Mitchell, December 30, 1817.

“My Friend—The messenger which was sent to the Mickasukies has returned with an answer to our talk. The Mickasukies say it was not them that began the war; they were sitting down

in peace, and the white people came on them in the night, and fired on them. The Mickasukies are all sitting down in their towns, and doing no mischief, and waiting to see if the white people will make peace with them. The people that shot at the boat and killed all the white people were the old Red Sticks, from the upper towns, them that turned hostiles last war. The man that was sent to the Mickasukies, (Hopoie Haijo,) with a peace talk, met the Mickasukies at the half way ground coming with a peace talk to us. Mr. Hambley and Mr. Doyle were taken prisoners.—Hopoie Haijo saw them. Tustennugee Chapoo has gone to relieve them, and carry them to the fort at St. Marks.

"I have sent you this little talk now; our meeting that you appointed will soon be, and then every thing will be made strict. We hear that the army has crossed at Hartford. The Cheehaws have received two letters from the army, and they had no body to read them, and they do not know the contents; and wish the army could be stopped until our meeting is over."

TUSTENNUGEE HOPOIE,
HOPOIE HAIJO.

Jose Francisco Bermudez, of the order of Liberators, general of Division of the armies of the Republic of Venezuela, Governor, Commandant-General of the Province of Cumana. &c. &c. &c.

Inhabitants of Cumana!—I am commanded by the supreme Chief to pacify the province and liberate the capital of Cumana, an undertaking most grateful to the feelings of the heart, and perfectly conformable to the well directed interests of my fellow citizens.

Inhabitants of Cumana?—I am one of your brethren, who animated by just sentiments of *amor patria*, has ever combatted in Cumana for the liberty of Venezuela. With heartfelt grief I beheld the desolation of your fine province, by Spanish ferocity, as well as by party spirit; with no less concern has the government witnessed the distresses of Cumana, for how could it view with indifference a spectacle so horrid? It has therefore directed to my care the healing of your wounds, and I bring among you the balsam of concord. The forces under my command, and the elements of which I can dispose, are more than sufficient to drive to the seas, or bathe in their blood those Spaniards who have laid waste your country. They shall be exterminated, and the lovers of faction shall either cease to exist, or enter into the circle of peace and obedience.—This I swear, relying on your fidelity, valor and patriotism.

Inhabitants of Cumana!—You know me, and none better than yourselves are acquainted with the numerous sacrifices I have made for your liberty and glory. I love you as my brethren, and as such I come to link you to the chain, which composes the great family of Venezuela, and from which you were hitherto separated by the baleful effect of discord. I come to rescue you, at the same time that I bring the olive of peace, and the laurels of victory.

J. F. BERMUDEZ.

Head-quarters, Cumanacoa, 1st Nov. 1817.

FROM THE SAME, DEC. 29.

There have been three arrivals this week from Puerto Cabello, but we have learnt no intelli-

gence by them, relative to the contending parties on the Main, that can be depended on. It is stated that General Morillo left Valencia on the 10th inst. for Calabozo, where he will establish his head quarters. The independents are said to be in possession of San Fernando de Apure, but no general action had been fought, according to the last accounts received in Puerto Cabello.—The belligerents must, however, be approximating very fast, and we may anticipate that a dreadful conflict is on the eve of taking place, which will probably decide the fate of Venezuela—"a consummation devoutly to be wished."

The following is an account of the exports of sugar from Barbadoes to the United States, for the present year, up to the 25th September.—In 30 vessels, of 5493 tons, manned with 386 seamen, 1008 hhds. 1346 tierces, and 169 barrels—2,550,493 lbs.

TRANSLATED FOR THE COMMERCIAL ADVERTISER.

PROCLAMATION.

SIMON BOLIVAR, *Supreme Chief of the Republic of Venezuela, to the Soldiers of the Liberating Army.*

SOLDIERS!—Yesterday was a day of the deepest sorrow for my heart. The crimes of conspiracy and treason against our country, and the desertion from her banners, brought General Piar to be executed. A lawful and just court pronounced the sentence upon this unfortunate citizen: who, inebriated with the favors of fortune and in order to satisfy his boundless ambition, attempted to bury his country in her ruins. General Piar had indeed done important services to the republic; but he was amply rewarded by her, although his whole course of conduct had been always remarked as factions.

There was nothing left to be wished for by a general who had attained the highest rank in the army. The second honorable post in this Republic being vacant, owing to the separation of Gen. Marino, was even to be conferred on him before his rebellion. But this General, who aspiring only to the supreme command, formed the most atrocious plan, that a wicked soul may conceive. Piar's designs embraced not only a civil war, but anarchy, and the most inhuman butchery and sacrifice of his brothers and companions in arms.

Soldiers—You know it very well. Our motto is, *Liberty, Equality, and Independence*. Has not human kind recovered its rights through our arms? Have they not broken the chains of slavery? Has not the national property been divided between you? Are not fortune, science and glory awaiting you? Are not your merits recorded with profusion, or at least with justice? What then did General Piar wish for you? Are you not free, equal, independent, happy, and honored? Could Piar pronounce greater blessings for you? No, no, certainly no. Piar was with his own hands digging the grave of our Republic, there to bury the lives, the wealth, the innocence, the well-being and the honors and glory of the brave defenders of Venezuela, as well of their children, wives, and parents.

Heaven has viewed with horror this parricide; and did not permit that a man, who in such a manner offended the deity, and human kind, should longer profane the earth, that ought not to suffer him to exist a moment, after his nefarious deeds. Heaven itself delivered him to be punished by the laws.

Soldiers, God watches over your welfare, and this government, which is your parent, is constantly vigilant for your happiness. Your leader, who has always been your companion in arms, and who, always at your head, has shared with you in all your perils, dangers, miseries, and in your triumphs, trusts in you. Trust then in him—being assured, that you are more loved and endeared to him, than if he were your own parent or child.

Head-Quarters at Augustura, October 17th, 1817—and of the Independence the 7th.

(Signed)

BOLIVAR.

Charleston, Jan. 21.—A valuable friend has furnished us with the subjoined interesting intelligence of the warlike operations in South America. From his correspondent at Kingston, (Jam.) under date of the 8th Dec. from a knowledge of both the parties, we have no hesitation in vouching for its authenticity.

VERY IMPORTANT NEWS,

From the kingdom of New Grenada and Carthagena its principal sea-port.

Samaño, lately named Vice-Roy, and residing at Santa Fe de Bogota, the capital of the kingdom officially has communicated to Montalvo, the Vice Roy of the said kingdom, exercising the functions of said office, until the aforesaid Samano his successor, may assume the command; that it is impossible for him longer to sustain the kingdom, after having sent a division to the Plains of Casanare, which was completely destroyed by the patriots; only the commander of the same, and 17 soldiers escaping. A second one was immediately afterwards despatched to said plains, and only its chief and two drummers could escape from this still severer loss.

Morillo writes that he is about to execute the officer who commanded a division, that shamefully retreated from 3000 independents, when those of his own consisted of 3000 men.

In Santa Fe a woman was about to be executed in consequence of there having been intercepted a detailed statement of the Spanish troops, which were in said place, and which she had forwarded to the patriots in Casanare.

Brigadier Cupini and a lieutenant colonel had arrived at Carthagena; the only remains of the defeat at Margarita, and said that they were on their route for Peru—the former to take the command as general.

On the 6th October ult. was taken the province of Pamplona, by the republicans, and where the Spaniards were completely defeated. This news is confirmed by a sergeant that had arrived at Carthagena, and wounded in the said action.

In Carthagena they were collecting a donation, for the purchase of provisions of every description, to be in readiness in case a siege should be established by the patriots against said city.

On the 17th of November, at almost every day since that period, three placards were put up in different parts of the city, demanding: the heads of Montalvo, Torrees, the governor, and that of Cano, judge advocate of said place. These placards are supposed to have been stuck up by the soldiers and subalterns, among whom there was a general discontent. Patroles were constantly employed in patrolling the streets, in order to take down these placards.

Recent News from the South Sea.

By a gentleman lately arrived from Guayaquil and Panama, I am informed, by him in person, that the army of Chili, in July last, disembarked at Arica in lat 18, 25, s. to unite themselves to the powerful armies of Buenos Ayres, which had already entered the kingdom of Peru; and that the royalist army in said province had capitulated to the patriots—and that in consequence of this triumph, all the armies were on their march for Lima. Casco, the former capitol of that kingdom, had already become independent, which excited great alarm in Lima, its modern capital, which it is generally believed here, must have fallen long since. The ports of Lima and Guayaquil, are strictly blockaded by the patriots, who it is said, have upwards of eighty vessels of war; among which are frigates, brigs and other smaller craft. Not a single vessel has arrived from Lima to Panama, since September, and it is positively believed that the immensely lucrative commerce which has been carried on between this island and Pacific Ocean, has now drawn to a close, for the independent armed vessels have even appeared in front of Panama on the 24th of October; and it is supposed the patriot flag will float in triumph from Cape Horn to the northernmost point in Venezuela, within the space of six months.

RUSSIA.

Petersburg Oct. 7.—Count Yermoloff is commissioned to engage at Cabul, and Isphahan, a number of workmen, who are to establish under very advantageous conditions, manufactories of shawls and carpets, at Casan. That this is an important object is evident, from the fact that 80,000 shawls are annually exported from Bassorah, which cost, on an average, 1,000 roubles each; so that from sixty to eighty millions of roubles come into the country for this one article of luxury.

At Astrachan, trials have been made with the cultivation of the common tea shrub, which have proved very successful, and are therefore particularly favored by the government.

ENGLAND.

London Nov. 28, North-west passage.—It is said that a vessel is to be fitted out for the purpose of attempting again the north west passage, the season being considered as peculiarly favorable to such an expedition. Our readers need not to be informed, that larger masses of ice than ever were before known, have this year been seen floating in the Atlantic, and that from their magnitude and solidity, reached even the 40th latitude before they were melted in a fluid state.—From an examination of the Greenland captains it has been found that owing to some convulsions of nature, the sea was more open and free from compact ice than in any former voyage they ever made; that several ships actually reached the 84th degree of latitude, in which no ice whatever was found; that, for the first time for 40 years, vessels penetrated to the west coast of Greenland, and that they apprehended no obstacle to their even reaching the pole; if it had consisted with their duty to their employers to make the attempt. This curious and important information has, we learn, induced the royal society to apply to ministers to renew the attempt of exploring a north west passage, as well as to give encouragement to fishing vessels to try how far northward they can reach by dividing the bounty to be given, on the actual discovery, into portions as a reward for every degree beyond 84 that they shall penetrate.

FRANCE.

Prince Talleyrand.—The Paris papers of the 1st November, states that the king, following up the other proofs which he has recently given of having again admitted prince Talleyrand into favor, honored him on Friday with a private audience, at which the prince presented to his majesty his brother, the duke of Talleyrand. Whatever Talleyrand's demerits may have been towards Louis XVI. the reigning monarch is well aware that he had little chance of ever sitting on the throne of France, had it not been for the masterly manoeuvre by which Talleyrand distanced the friend of young Napoleon, and agreeably disappointed the intentions of the emperors Alexander and Francis.

ITALY.

The Herculaneum.—In the ruins of Herculaneum there have lately been found loaves which were baked under the reign of Titus,* and which still bear the baker's mark, indicating the quality of the flour, which was probably prescribed by regulation of the police. There have also been found utensils of bronze, which instead of being tinned like ours, are well silvered. The ancients doubtless preferred this method as more wholesome and more durable.

*The Herculaneum and Pompeii were overwhelmed by an earthquake, and the eruption of Vesuvius in the year 79; therefore, the bread alluded to must have been baked 1738 years. Titus died in 81.—Ed. Nat. Reg.

G. R. E.

Revival of civilization.—The civilization of Greece is making a regular progress. The municipal authorities of many Grecian cities have established, for the instruction of youth, Lyceums, where they teach the Greek, Latin, modern languages, rhetoric, mathematics, &c. The pupils when completed in their education, proceed to finish their studies in different capitals of Europe, unless prevented by filling some office at home. There they connect themselves with learned men, and become their assistants, especially in superintending editions of the Greek classics.

TURKEY.

Patras Sept. 8.—Violent earthquake, &c.—On the 23d of August, about 8 o'clock in the morning, there was heard near Vostissa a loud detonation similar to a discharge of artillery; it was followed almost immediately by a violent agitation of the earth, which lasted about a minute and a half.—At the same time the sea retired to a considerable distance, leaving the vessels dry that were in the harbor. It then returned with fury, rose fifteen feet above the ordinary level, and covered with its waves an extent of land of almost an hundred feet.—It then returned to its accustomed situation.

But the cape, which formed a part of the harbor of Vostissa, and was at the mouth of a river named *Caidou roupi niatti*, after having cast up a very thick smoke, sunk into the sea, which near that point was very deep. The town which contained 800 houses and some public buildings, a mosque, and several churches, was almost entirely destroyed, and sixty-five of the inhabitants perished in the ruins. The villages of Mourla, Dimi-tropoulo, Loumari, and Tremeni near Vostissa, were also destroyed.

During eight days, shocks less violent, but very frequent, succeeded this earthquake. There is still seen, half a league from Vostissa, a great space

of earth covered with yellowish water, and deeply furrowed.—*Journal des Debates.*

NATIONAL LEGISLATURE.

FIRST SESSION—FIFTEENTH CONGRESS.

SENATE.

Friday January, 23.

After the disposal of some business relating to individual claims, the following resolution submitted yesterday by Mr. Ruggles was considered and agreed to.

Resolved, That the committee on public lands be instructed to inquire into the expediency of passing a law, to vest in the state of Ohio, the power of selling the remaining thirty-five sections of land, in the six miles reservation at the Scioto Salt Works, and applying the proceeds of the sale to such purposes, for the use of the state, as the legislature thereof may thing proper.

The bill to establish additional land offices in the Missouri territory was taken up, the amendments reported by the select committee agreed to, and thus the bill passed to a third reading.

Various reports, bills and resolutions were in part considered and postponed to Monday next; to which day

The senate adjourned.

Monday January, 26.

The president communicated to the senate a report from the secretary of war, of contracts made by that department, and those made by the purchasing and ordnance departments, in the year 1817.

Military Staff Officers—Hospital Surgeons, &c.

The following resolutions, submitted by Mr. Tichenor on the 22d, were considered and agreed to:

Resolved, That the military committee be instructed to inquire into the expediency of repealing or modifying so much of the second section of the act, establishing the military staff, as relates to hospital surgeons and hospital surgeon's mates, and to the appointment of judge advocates.

Resolved That the military committee be instructed to inquire into the expediency of a reform in the provisions of the laws respecting the emoluments and allowances to the military and staff officers of the army, in order to place them on a more economical establishment.

Appointment of Indian Agents.

The bill directing the mode of appointing Indian agents, &c. was taken up, and after receiving some amendments, was read the third time, passed, and sent to the other house for concurrence.

Darien, a Port of Entry.

The bill to establish Darien in Georgia, a port of entry, was also passed.

Much other business, was done, in the course of the day, in disposing of various reports, bills &c.—adjourned.—

Tuesday January, 27.

A Bill to grant Pensions.

Mr. Tait, from the committee on naval affairs, reported a bill "in addition to an act giving pensions to the orphans and widows of persons slain in the public or private armed vessels of the United States;" and the bill was read.

Mr. Taylor, presented the petition of Jeremiah Gregory and others, praying to be permitted to purchase the public lands on which they live, and which they have improved, at the price fixed by law; and the petition was read and committed.

Several other petitions were presented and referred.

Additional Land Offices in Missouri.

The bill "making provision for the establishment of additional land offices in the territory of Missouri," was read a third time, passed, and returned to the other house for concurrence in the amendments.

Duty on Salt.

Mr. Campbell, from the committee of finance, to whom the subject had been specially committed, reported, that "it is not expedient to repeal the law imposing a duty on salt." The report was not acted on to-day.

Judges of the Supreme Court.

Mr. Talbot submitted for consideration the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so far changing the present judicial system of the United States, as to provide for the gradual diminution of the number of judges who at present compose the supreme court; for the restricting the functions and duties of the judges of that court to the holding the sessions thereof, and the other duties incidental thereto; of establishing and organizing a circuit court in each of the United States, in which a circuit court has not heretofore been established, and of providing for the appointment of a competent number of circuit judges for the holding the circuit courts of the United States.

Territorial Government.

Mr. Crittenden, from the judiciary committee, reported a bill to alter and amend an act, approved the 3d March, 1817, "to establish a separate territorial government for the eastern part of the Mississippi territory."

Massachusetts Militia Claims.

Mr. Olin, submitted for consideration the following resolution:

Resolved, That the committee of claims be instructed to inquire into the expediency of providing for the examination and allowance of monies paid by the state of Massachusetts for supplies and services of the militia of that state employed during the late war in the common defence, so far as the same may be due upon principles of equity and justice.

After the consideration of executive business The senate adjourned.

Wednesday January 28.

Increase of the Salary of Judges.

Mr. Crittenden, from the committee on the judiciary, reported a bill to increase the compensation of the judges of the circuit court for the District of Columbia, which was read and passed to a second reading. The bill is reported in blank.

Amendments to the Constitution

Mr. Dickerson, from the committee to whom was referred the joint resolution proposing an amendment to the constitution, in regard to the election of representatives in congress, and electors of president and vice president, &c. reported the resolution with some verbal amendments.

Protection of the Mail.

Mr. Ashmun, submitted the following resolution for consideration:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing for the security of passengers in stage coaches, in which the mail of the United States may be transported against dangers arising from gross negligence of proprietors and drivers.

Mr. Campbell, from the committee on finance, reported the bill from the other house, making appropriations for the payment of arrears of expenses, in the military establishment, with a verbal amendment.

The bill establishing a port of entry at Darien, in Georgia; the bill incorporating the Mechanic Relief Society of Alexandria; and the bill directing the mode of appointing Indian agents, &c. were severally read the third time, passed and sent to the house of representatives for concurrence.

Public Buildings.

The resolution submitted some days ago by Mr. Goldborough, requesting a detailed statement of the expenditures on the public buildings, similar to the report made to the house of representatives was taken up and agreed to.

The inquiry into militia claims of Massachusetts, was postponed to Friday next.

A bill dividing the state of Pennsylvania, into two judicial districts, was considered, amended and engrossed for a third reading.

The bill providing for surviving revolutionary officers, soldiers, &c. was postponed to to-morrow, as were also several other subjects.

The joint resolution offered by Mr. Morrill, on the 23d ult. requiring the commissioner of the general land office, to furnish to each soldier who may receive a patent for military bounty land, a description of the quality of each lot, as minutely in the field notes of the surveyor, was taken up.

The senate then resumed the consideration of executive business, which occupied it until the adjournment.

Thursday January 29.

After the transaction of some business of a minor importance, the senate proceeded to the consideration of the bill to provide for the surviving officers, soldiers, &c. of the revolution, in committee of the whole.

Mr. King, took a comprehensive view of the principal features of the bill, stated his objections to the provision it proposed for seamen, militia, &c. and concluded by moving, that the bill be recommitted, and the committee instructed to amend the same, so as to confine its provisions to a grant of half pay for life to the surviving officers of the revolutionary army on the continental establishment, who served for three years, or until the end of the war including those who were entitled, under any resolve of congress, to half pay for life; the half pay so to be granted, to be ascertained by the rank according to which the accounts of the respective officers were finally settled.

Mr. Barbour followed, and after arguing at some length to shew the impossibility of providing for all included in the bill, and the impracticability of discriminating between the different classes provided for, moved an indefinite postponement of the bill.

Mr. Smith entered into a defence of the militia, seamen, &c. whose merits he considered at least equal to those of the regular army, and advocated the indefinite postponement.

Mr. Goldsborough declared himself opposed to the indefinite postponement, and in favor of the motion of Mr. King, with some modifications; to give time for which, he wished the postponement of the bill to Monday next, and that it be made the order for that day.

Mr. Morrill was opposed to the indefinite postponement, and in favor of passing the bill.

Mr. Macon was opposed to the bill, and stated his reasons at length. He considered the sufferings of the regular army, as no greater than those of the people at large, and that it would be unjust to tax one class to bestow on another. The calamities of the times were common to all; and each did as much as his opportunity allowed, whether he was at home or in the field.

Mr. Otis advocated the bill, and opposed the indefinite postponement; and when he concluded, at nearly 4 o'clock, The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, January 23.

Illinois to be a State.

Mr. Pope, from a select committee, to whom were referred certain memorials on the subject reported a bill to enable the people of Illinois territory to form a constitution and state government, and for the admission of the same into the Union on an equal footing with the original states—which bill was twice read and committed.

Public Roads.

A message was received from the president of the United States by the hands of Mr. J. J. Monroe, his secretary, transmitting the information required by a resolution of this house, calling for an account of all roads made or marked out under the authority of the United States.

Compensation of Clerks.

On motion of Mr. Ingham, it was

Resolved, That a select committee be appointed to inquire what alterations are necessary to be made in the act entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out of certain public roads, and for other purposes."

A public Road to Cumberland Road.

On motion of Mr. Herrick, it was

Resolved, That the committee on roads and canals be instructed to inquire into the expediency of providing by law for the appointment of commissioners to survey, lay out and mark, a road from the west bank of the Ohio river, opposite the point where the Cumberland road strikes the same through St. Clairsville to Columbia; from thence to the western line of the state of Ohio, in a direction to St. Louis, in the Missouri territory.

Receivers of public Moneys and Surveyors.

On motion of Mr. Robertson, of Louisiana, it was

Resolved, That the secretary of the treasury be requested to lay before this house a statement of the salaries, and an estimate of the present and future emoluments, of the respective regis-

ters and receivers of public moneys at the different offices of the United States; and also the amount of the salaries and emoluments of the several surveyors general, and principal and deputy surveyors.

Passengers in foreign vessels.

On motion of Mr. Forsyth, it was

Resolved, That the committee of commerce and manufactures be instructed to inquire into the expediency of regulating by law the number of passengers to be brought into the United States by American and foreign vessels, according to the tonnage of the vessels.

Land Districts in M. State and A. Territory.

On motion of Mr. Cobb, it was

Resolved, That the committee on public lands be instructed to inquire into the expediency of establishing into separate land districts all that part of the Alabama territory which lies south of an east and west line, to be drawn from the boundary line dividing the state of Mississippi from said territory, through Fort Williams to the western boundary of Georgia; and also, into the expediency of appointing a surveyor to all public lands in the said districts, of surveying, in the manner prescribed by law, such public lands, (to which the Indian title has been extinguished, and which are not already surveyed) and of offering the same for sale as soon as possible.

Commutation Bill rejected.

The house resumed the consideration of the bill to provide for the commutation of soldiers bounty lands. An amendment of some importance, moved by Mr. Taylor, yesterday, was agreed to, yeas 78: noes 45. No other amendment having been offered—

The question was stated, on ordering the bill to be engrossed for a third reading.

Mr. Hopkinson, succinctly delivered the reasons for his opinion against the passage of the bill.

Mr. Robertson, replied to Mr. Hopkinson, and defended the bill.

Mr. Hopkinson rejoined.

The question was then taken on the passage of the bill to a third reading, by the following vote.

YEAS—Messrs Abbott, Anderson, Penn. Anderson, Ken. Baldwin, Bellinger, Bennett, Bloomfield, Boden Burwell, Cobb, Comstock, Cook, Crafts, Crawford, Culbreth, Desha, Earle, Erving, S. C. Forsyth, Fuller, Gage, Hale, Harrison, Hasbrouck, Hendricks, Herrick, Hiester, Hunter, Ingham, Irving, N. Y. Johnson, Ken. Jones, Kinsey, Little, Lowndes, Marchand, Mason, Mass. Mercer, Merrill, Morton, Moseley, Murry, H. Nelson, T. M. Nelson, New, Ogden, Ogle, Owen, Parris, Parrott, Patterson, Peter, Pindall, Pleasants, Poindexter, Quarles, Reed, Rich, Richards, Ringgold, Robertson, Ken. Robertson, Lou. Ruggles, Sampson, Silsbee, Ballard Smith, Alex. Smyth, Southard, Spangler, Tallmadge, Taylor, Trimble, Tucker, Va. Tucker, S. C. Walker, N. C. Walker, Ken. Wallace, Wendover, Whiteside, Whitman, —80.

NAYS—Messrs. Adams, Allen, Mass. Austin, Ball, Barbour, Va. Barber, Ohio, Bateman, Beecher, Blount, Boss, Bryan, Campbell, Claggett, Claiborne, Colston, Cruger, Cushman, Drake, Edwards, Ellicott, Forney, Garnett, Hall, Del. Hall, N. C. Herkimer, Hitchcock, Hogg, Holmes, Mass. Holmes, Con. Hopkinson, Hubbard, Huntingdon, Johnson, Va. Kirtland, Lawyer, Lewis, Linn, Livermore, M'Lane, W. Macloy, W. P. Macloy,

21st Co., Marr, Mason, R. I. Middleton, Moore, Mumford, Jer. Nelson, Nesbit, Newton, Orr, Panner, Pawling, Pitkin, Porter, Rhea, Savage, Schuyler, Scudler, Sergeant, Settle, Seybert, Shaw, Sherwood, Slocumb, J. S. Smith, Speed, Spencer, Storrs, Strong, Strother, Tarr, Terry, Tompkins, Tyler, Upham, Westerlo, Williams, Con. Williams, N. Y. Williams, N. C. Wilkin, Wilson, Pen—82.

Reservation of Copper Mines.

On motion of Mr. Smith, of Maryland, it was *Resolved*, That the committee on public lands be instructed to inquire into the expediency of providing by law for the introduction into all patents hereafter to be issued for lands sold or granted by the United States, of a reservation to the use of the U. States of all copper mines, and of the expediency of authorizing the Secretary of the Treasury to lease any copper mines the property of the United States, for a term not exceeding seven years.

Claims for House burnt in war.

On motion of Mr. Williams, of North Carolina, the house resolved itself into a committee of the whole, Mr. Pleasants in the chair, on the report of the committee of claims, on the claim of J. Pattieson, for a house situated on the banks of the Patuxent, and which was destroyed by the enemy during the late war, on account of previous occupation by provisions and by supplies issued therefrom to a detachment of militia in the service of the United States, and for other similar reasons, as the petitioner desires to establish by the testimony of two or three witnesses. The claim is one of those laid before the Commissioner of Claims, and by him, according to the provisions of the law of the last session, transmitted to the house of representatives for their decision on the fact.

Several other claims of a similar nature, were also submitted. After some debate upon the general principles on which these cases rest, the committee rose and reported their concurrence, not only in the case of Mr. Pattieson, but also in several other cases, which rest on the same principle, and on nearly the same description of evidence.

The question on concurrence with the committee of claims in rejecting the petition of Mr. Pattieson, was agreed to.

The question being next proposed on the claim of John Ireland, for a house destroyed because occupied by a part of Commodore Barcy's men, his rigging, &c. and the report recommending its rejection having been read—

A debate arose on the merits of the claim, and the amount of the testimony, in the course of which Messrs. Smith of Md. Harrison, Reed, Robertson of Lou. Peter, Bayly and Palmer opposed the report adverse to the claim, and Mr. Williams and Mr. Forsyth supported it.

At length, this and the other reports were laid on the table, the hour growing unusually late—And the House adjourned to Monday.

Monday January, 26.

After the disposal of several reports, of committee's upon private claims,

Mr. Robertson, of Louisiana, from the committee on the public lands, reported a bill to continue in force an act entitled "An act relating to settlers on lands of the United States;" which was twice read and committed.

Army of the United States.

Mr. Johnson, of Kentucky, from the military committee, reported a bill respecting the organization of the army of the United States, and for other purposes; which was twice read and committed.

Bible Societies.

Mr. Sergeant, from the committee to whom was referred the petition of the American Bible Society, reported (in part) a bill for the remission of duties upon stereotype plates and upon bibles and testaments in foreign languages, imported by societies or associations, for the gratuitous distribution of the holy scriptures.

Buildings for Executive Department.

Mr. Parvis, of Massachusetts, from the committee on expenditures respecting the public buildings, reported the following bill:

A bill to provide for erecting additional buildings for the accommodation of the respective departments.

Be it enacted, &c. That the commissioner of the public buildings cause to be erected, under the direction of the president of the United States, two buildings suitable for offices for the executive department to be placed north of the buildings at present occupied by those departments, and on a line parallel therewith: each of said buildings to contain forty rooms of convenient size.

Sec. 2. Is merely a section making an appropriation.

The bill was twice read and committed.

Fugitives from Justice, &c.

The house resolved itself into a committee of the whole, Mr. H. Nelson in the chair, on the bill "to amend an act entitled an act respecting fugitives from justice, and persons escaping from the service of their masters."

The bill is one of considerable importance to the holders of slave property particularly, as going to make that law efficacious, which is at present little better than nominal.

Much discussion took place on the details of this bill, which were explained and illustrated by Mr. Pindall, of Virginia, and by several other gentlemen. Some amendments were made to the bill, the discussion of which occupied the whole of the days sitting, and was not concluded, when

The committee rose, and obtained leave to sit again; and

The house adjourned.

Tuesday January, 27.

Post Roads.

On motion of Mr. Johnson, of Va. the committee on post offices and post roads were instructed to inquire into the expediency of establishing a post road from South Quay, in Nansemond county, Virginia, by the court-house of Isle of Wright county, to the town of Smithfield, in the same county.

On motion of Mr. Claiborne, the same committee were instructed to inquire into the expediency of establishing a post road from Huntsville, in Alabama, to the falls of the Black Warrior; thence to fort St. Stephens: also another route from fort St. Stephens or fort Stoddard, to fort Montgomery; thence by way of fort Claiborne to fort Jackson, and from thence to intersect the first mentioned route at Huntsville.

On motion of Mr. Garnett, the same committee were instructed to inquire into the expediency of extending the post route from Lilly point in King

William county, Virginia, to Halcyonville, in the same county.

On motion of Mr. Hogg, the same committee were instructed to inquire into the expediency of altering the route from Liberty, in Smith county, Tenn. to Lebanon, so as to pass through Maryville, in Wilson county.

Massachusetts Militia Claims.

On motion of Mr. Mason, of Mass.

Resolved, That the claim of the state of Massachusetts for expenditures to their militia for their services during the late war, together with the documents on the files of this house, be referred to a select committee, to consider and report thereon.

On motion of Mr. Burwell,

Resolved, That the secretary of war be directed to lay before this house a statement of the claims of the state of Massachusetts for the expenses of calling out the militia of that state during the late war, and the reasons why those claims have not been settled by that department.

American Bible Society—Remission of Duties in Favor of

The engrossed bill to remit the duties on stereotype plates and bibles, in foreign languages, imported for the use of the American Bible Society, was read the third time, and the question stated "shall the bill pass?"

When a debate arose upon the question of abridgement of provisions in the bill to protect the privilege it contemplates against abuse, of not sufficient importance to exclude other matter. The question of laying the bill on the table, was decided in the affirmative. yeas 84, noes 62.

The house then proceeded to the consideration of the bill respecting fugitive slaves, &c. the consideration of which occupied the remainder of the day; and the committee rose before the subject was completed.

Wednesday, January 28

Port of Entry at Shieldsborough.

On motion of Mr. Poindexter, it was

Resolved, That the committee of commerce and manufactures be, and they are hereby instructed to inquire into the expediency of establishing a port of entry and delivery at the town of Shieldsborough, on the Bay of St. Louis, in the state of Mississippi.

Counsel to assist Judge Advocates.

On motion of Mr. Storrs, it was

Resolved, That the secretary of the war department be requested to communicate to this house a statement of the cases in which counsel has been employed to assist the judge advocates of the army of the United States since the first day of August 1812; the names of the counsel so employed, the compensations paid to them respectively, and the fund out of which the same have been paid; and the expenses of the several courts-martial, which have been held since that time for the trial of officers of the army.

Fugitives from Justice, &c.

The order of the day on the bill "respecting fugitives from justice, and persons escaping from the service of their masters," having been announced, some discussion arose upon a motion by Mr. Rich, to commit the bill to another committee which was negatived, when the house resolved itself into a committee of the whole.

The question was on an amendment, proposed by Mr. Rich to the bill, which has for its object the preventing the transportation, in any manner, of any negro, mulatto, or person of color, without having previously carried the same before some judge or justice of a court of record, and giving sufficient proof of their being slaves, and the property of the person by whose authority they are so removed, under the penalty of a sum not exceeding ten thousand dollars.

This amendment Mr. Storrs had proposed to amend, by substituting, in lieu thereof, a new section, in the following words:

"That if any person, without colorable claim, shall knowingly and wilfully procure, any such certificate or warrant [of his property in any particular individual] with intention, under color or pretence thereof or the provisions of this act, to arrest, detain or transport, or cause to be arrested, detained, or transported, any person, whether, not held to labor or to service as aforesaid, he or she, on conviction thereof, shall suffer imprisonment not exceeding fifteen years, or fined not exceeding five thousand dollars, or both, in the discretion of the court before whom such conviction shall be had."

Mr. Storrs and Mr. Pindall advocated the amendment to the amendment, on the ground of the difficulty of the subject, the very magnitude of which was a sufficient reason, it was said, why it should not be appended to this bill, but ought to be made the subject of a separate act.

Mr. Rich vindicated his own amendment, on the ground of the enormity of the crime of kidnapping, repeated cases of which had occurred, and which appeared to him to require the interposition of the legislature.

The amendment to the amendment was agreed to, and then incorporated in the bill, by a considerable majority.

Further debate took place on the bill, and on an amendment proposed to it by Mr. Baldwin.

Mr. Fuller then, after an ingenious speech of considerable length, moved to strike out the first section of the bill, with a view to destroy it entirely, on the ground that it transcended the constitutional provisions on the subject. He also took exceptions to various features of the bill.

Mr. Strong, in a more decided manner, expressed his opposition to the bill, on the ground, that the act already in existence on that subject had gone full far enough in carrying into execution the constitutional provision on the subject; which he regarded as a compact, the mode of executing which the non-slave-holding states had reserved, and were at liberty to judge of when proposed to them, &c.

Mr. Cobb replied to the two gentlemen from Massachusetts, vindicating the rights of the holders of that description of property, as secured by the constitution, as inalienable, and as inviolable on any pretext by those who were averse to the toleration of slavery, &c.

Mr. Strong rejoined.

Mr. Hopkinson stated certain objections to the form of this bill, under which he thought it possible that freemen might be apprehended as slaves, without the necessary means of redress.

Mr. Holmes, of Massachusetts, made some remarks, of a nature conciliatory to the prejudices existing on both sides of the question; and intimated, that, though he was not in favor of all the provisions of this bill, he should vote against the

striking out the first section, because he thought that the bill might be so moulded as to be unobjectionable to any.

Mr. Clay (Speaker) then engaged in the debate, being called up by the peculiar interest which the state of which he is a representative, has in the passage of the bill. The nature of slave property, its evils, and the rights of its possessors, were illustrated with great force, and the necessity for the passage of an act of this sort sustained by many arguments, in a speech of considerable length.

Mr. Baldwin rose on the question of the construction which had been given by some gentlemen to the constitutional provision; which, he contended, conferred on congress full power to legislate on the subject so as to give the strongest security to the holders of slave property.

The motion to strike out the first section was negatived by a large majority.

Some further amendment having been made to the bill—

The committee rose, and reported the bill as amended.

And the house adjourned at half past four o'clock.

Thursday, January 29.

After the disposal of petitions, &c. the house considered the amendments of the senate "making provision for the establishment of additional land offices in the territory of Missouri" were read and referred to the committee on public lands.

The bill from the senate "directing the manner of appointing Indian agents, and continuing the act for establishing trading houses with the Indian tribes," and the bill "concerning the district of Brunswick, in the state of Georgia," were twice read and committed.

Slaves and fugitives from justice.

The house having resumed the consideration of the bill to amend the act entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters."

A motion was made by Mr. Rich to recommit the bill to the committee to whom was referred the memorial of the society of Friends of Baltimore. This motion he enforced by urging the oppressions to which these people were now subjected, and the necessity of some regulation on the subject, which he thought might be very properly connected with this bill. This produced considerable discussion, and several other attempts were made to amend the bill.

The question on recommitment of the bill was decided in the negative, without a division.

Further debate took place on the question of concurrence in some of the amendments made in committee of the whole. Other amendments were proposed and rejected. The debate was continued until a late hour, when the question was at length taken, "Shall the bill be engrossed and read a third time?" and decided in the affirmative, as follows:

For the bill	86
Against it	55

The bill was ordered to be read a third time tomorrow. Adjourned.

Indian affairs.

Report by Mr. Southard, chairman of the committee to which was referred so much of the President's Message as relates to Indian affairs,

accompanied with a bill for establishing trading houses with the Indian tribes, &c. &c. made in the house of representatives, January 22, 1818, and with the bill, committed to a committee of the whole house on Monday next.

The committee, to whom was referred so much of the President's message as relates to Indian affairs, report: That the capital appropriated for the prosecution of Indian trade was, in 1809, augmented from 200,000 to 300,000 dollars, which sum, by succeeding acts, has been continued down to this period; of the capital thus appropriated, 290,000 dollars have been drawn from the treasury, and actively employed under direction of the superintendent of Indian supplies. Under the various laws enacted for the support and encouragement of Indian trade, eight factories or trading posts have been established at the following points:

1. Fort Mitchel, Georgia.
2. Chickasaw Bluffs, Mississippi territory.
3. Fort Confederation, on the Tombigby river.
4. Fort Osage, on the Missouri river, near the mouth of the Osage.
5. Prairie du Chien, on the Mississippi, near the mouth of the Ouisconsin river.
6. Ordered to Sulphur Fork, on Red river, formerly Natchicoches.
7. Green Bay, on the Green Bay of Lake Michigan, Illinois territory.
8. Chicago, lake Michigan.

The committee deem it unnecessary to present a detailed view of the profits and loss of each particular agency: submit, in relation to the general establishment, that it has been a losing institution, owing, it is presumable, to adventitious circumstances, originating in our late belligerent state, and not growing out of any defect in the organization or government of the trade. From the first operation of this traffic, up to December, 1809, it sustained a loss of \$44,338 36; since that period the trade has been more successful, it having yielded a profit, on the capital actually vested in the merchandize, of about 15,000 dollars annually, after covering a loss of 13,369 dollars, which accrued in consequence of the capture of several trading posts by the enemy during the late war.

In this view of the subject, the committee have not embraced an item of \$20,000, annually disbursed at the treasury for the superintendent and his clerks, the factories, &c. and which, when applied to the concern, as necessarily it must be in making an estimate of profits and loss, will absorb the profits arising from the funds employed in trade, and furnish an annual charge against the establishment of 5000 dollars: this annual loss, being sustained by the treasury, pursuant to appropriations for the pay of the superintendent and his assistants, is a loss to the government, but not to the concern, in the diminution of its capital, which, under all circumstances, remains stationary.

The act passed the 29th April, 1816, giving to the President the discretionary power of licensing foreigners to a participation in the Indian trade, is less exceptionable in theory than in practice: with all the guards of the act, and precautions of the executive, it has been found impracticable, under dispensing power, to avoid the admission of men of vicious habits, whose conduct tends to interrupt the peace and harmony of the United States and the Indian tribes; nor can such be introduced while the door is left open to foreign traders: either admit or exclude all. A system, partial in its

character will, by inhibiting a worthy applicant, do him injustice; and, by permitting the fraudulent speculator, the savage for whom the provision is made, and the country are wronged. The executive must rely on recommendations in the exercise of the power deposited with him, and, no doubt, often deceived in the character of persons recommended to presidential patronage.

The committee are apprised that the exclusion of foreigners will be attended with a momentary irritation, and a temporary expense to the nation, as the inhibition will devolve on the government an obligation to increase its trading posts, and augment Indian capital, so as to supply the wants of such tribes as are now dependent on foreign trade. The prosecution of this policy will be strongly aided by the additional vigor with which the system will inspire the commercial enterprise of the American citizen. The committee has been unable to ascertain with any degree of accuracy the amount of capital employed by foreigners in this trade, consequently it is somewhat at a loss to suggest the amount necessary to fill the vacuum that may be occasioned by the withdrawing of foreign capital; but from the best lights which have been afforded, the committee are induced to believe that dollars, in addition to the present appropriations, having the auxiliary exertions of individual enterprise, and aided by a superintendence at St. Louis, or some other suitable place, could be amply sufficient to accomplish what must be desirable in the government—the supply of those dependent upon its humanity, upon terms advantageous to both.

Your committee further report, that they consider supplying the Indians with such articles of merchandise as are necessary to meet their pressing wants, is not only an act of humanity, but sound national policy, and that every measure that would tend to civilize those savage tribes, ought to be pursued by the United States. Your committee are induced to believe that nothing in the power of government to do would have a more direct tendency to produce this desirable object than the establishment of schools at convenient and safe places, amongst those tribes friendly to us. Your committee are aware that many plausible objections may be raised against the proposed measure; but we believe that all difficulties on this subject may be surmounted: and that the great object may be carried into practical effect. In the present state of our country, one of two things seems to be necessary, either that those sons of the forest should be moralized or exterminated: humanity would rejoice at the former, but shrink with horror from the latter. Put into the hands of their children the primer and the hoe, and they will naturally in time take hold of the plough, and as their minds become enlightened and expand, the bible will be their book, and they will grow up in habits of morality and industry, leave the chase to those whose minds are less cultivated, and become useful members of society.

Great exertions have of late years been made by individuals and missionary societies in Europe and America: schools have been established by those humane and benevolent societies in the Indies, amongst the Hindoos and Hottentots, and notwithstanding that superstition, bigotry, and ignorance have shrouded those people in darkness for ages, thousands of them have already yielded to instruction.

The government has no such difficulties to encounter: no bibles or books to translate into foreign or other languages: only establish some English schools; the experiment may be tried at a very small expense. The committee believe that increasing the number of trading posts, and establishing schools on or near our frontiers for the education of Indian children, would be attended with beneficial effects, both to the United States and the Indian tribes, and the best possible means of securing the friendship of those nations in amity with us, and in time, to bring the hostile tribes to see that their true interest lies in peace, and not in war. And therefore the committee report a bill.

NEW-YORK.

Amendment to the constitution proposed.—Agreeable to public notice, a general meeting of the citizens of the county of Tompkins, took place at Ithaca on the 5th instant, which had for its object to take into consideration, the propriety of petitioning the legislature of the state of New-York, at their next session, for an act to call a convention, for the amendment of the constitution of the state. Several resolutions were adopted, which urged the propriety of amending the constitution, providing for elections, so as to do away the distinction that now exists in the qualifications of elections for members of the legislature and governor; which it will be recollected, makes property tests necessary.—As the law now stands, it requires a man should be vested in a right of free simple, to the amount of two hundred and fifty dollars, to be a legal elector for governor, whilst he who rents a tenement, or pays taxes to the amount of five dollars per annum, are allowed to vote for members of assembly.

The meeting proposes that suffrage should be free.—That every male citizen of that state, of the age of 21 years, who shall be liable to military duty, and all free white males above that age, are compelled to pay taxes for the support of government, should be placed on equal footing, and be allowed to vote for governor and as well as members of the legislature.

It was also resolved that the manner of appointing officers, by the council inexpedient and ought to be abolished: and that some amendment be made to assimilate the court of common pleas, to the supreme court.

KENTUCKY.

Resolutions of both branches of the legislature, of the state of Kentucky—expressive of the sense of the people of that state, on the struggle of the patriots, of South America, and on the policy which the general government ought to pursue in relation thereto, submitted to each individual member of congress, and to the executive of the United States.

[IN SENATE, BY MR. BLEDSOE.

Resolved, by the general assembly of the commonwealth of Kentucky, that the people of this state view with the most lively emotion, the patriotic struggles of our S. American republican brethren, to throw off and break in pieces the yoke of Spanish despotism; to take their stand amongst the nations of the earth; and to vindicate the exercise of those rights of self-government which the God of nature has given to man, as his unalienable birthright.

That while this legislature, and the people whom they represent, fully appreciate the bless-

ings of peace, flowing from the observance of a just neutrality, as the conflicts between other powers; they are nevertheless fully sensible of the immense importance to the United States, of the establishment of the independence of the South American colonies, as respects the probable commercial and political relations between the two portions of the same great continent.

That neither interest nor duty on the part of the United States, as respects old Spain, exists to induce them to take one single step towards favoring that power or strengthening the rod of oppression, which there is reason to hope her colonies are about wresting from her hands forever.

That it is in our opinion, wise policy as well as justice, for the government of the United States to acknowledge the independence of such of the former Spanish colonies of South America, as shall have shown, or shall show themselves capable of vindicating and maintaining the rights of self-government.

That the strictest regard to neutrality between the parties, neither requires, nor authorizes, the arrest or detention of foreign men, vessels or munitions of war, passing through our country or touching at our ports, destined to assist either party.

That if the general government of the United States is prepared to take a side in the contest, the many unredressed wrongs, and outrageous insults of old Spain to this government together with the strong claims of suffering humanity upon our sympathy, leave no room to doubt which side the free people of the only republic on earth are prepared to take.

Resolved, That the copies of the foregoing resolutions be transmitted to the president of the United States, and to each of our senators and representatives in congress, to be submitted to that body.

[IN THE HOUSE, BY MR. BIRD.]

Resolved by the General Assembly of the commonwealth of Kentucky—1st. That the liberty of nations is derived from God and nature, and is not the gift of kings or potentates.

2d. That all just power is derived from the people; the choice of forms of government belongs of right to them, and those (or their successors) who constitute one form, may abrogate it.

3d. That in all just governments, the good of the governed is the end to be accomplished; and the people upon whom each particular government operates, are the only fit judges of the performance of the ends for which the government was instituted.

4th. That the general revolt of a nation against oppression, and in vindication of their own liberty, cannot be justly called a rebellion.

5th. That the struggle of the Patriots of South America for the rights of self-government is justified by the laws of God and nature, and sanctioned by the unalienable rights of man.

6th. That the success of those who are struggling for the liberty and independence of South America, it is a consummation devoutly to be wished, highly interesting to the friends of freedom and humanity in general, and calls for the deepest sympathy and accordance on the part of the people of these United States of North America.

7th. That it is the opinion of this general assembly, that such of the provinces of South Ame-

rica as have declared themselves free and independent, and have shown a reasonable ability to maintain their independence, ought forthwith to be acknowledged by the general government of the United States of North America, as sovereign and independent powers, to be treated as such, and introduced to the other sovereign powers of the earth; and, generally, that all the rights, countenance and hospitality should be given by these United States to those so acknowledged sovereign powers of South America, which by the laws of nations may be justly and peaceably afforded by the people and magistracy of one neutral nation, to the people and magistracy of another nation, in war or in peace.

Resolved, That a copy of the foregoing resolutions be transmitted to the President of the United States, and to each of the senators and representatives of this state in the congress of the United States; and that the acting governor be requested to transmit them accordingly.

DEPARTMENT OF WAR,
December 29. 1817.

ORDERS.—As a general rule, all orders will issue, in the first instance, to the commanders of division.

In cases where the nature of the duty to be performed, and the public interest, may require it, orders will issue directly to the officers commanding department, post or detachment, and to any officer attached to a division; but in such cases a copy of the orders will be transmitted to the general of division, for his information.

By the president, J. C. CALHOUN.

ALMON K. PARRIS, Esq. a representative in congress, from Massachusetts, has received the appointment, by the President of the United States, of Judge of the District Court of the United States, for the district of Maine, in place of judge SEWALL resigned. We understand that Mr. Parris will leave this city in a day or two.

The Georgia Journal of the 13th inst. (the last we have received) insinuates, that there is no prospect of the United States coming into possession of the Floridas. Spain manifests a willingness to sell them, but fixes a price so high as to preclude us from purchasing. This is often the case in the little concerns in life, when a man possesses an article of merchandize which he knows another wants, and cannot readily obtain elsewhere, he endeavors to extort an extravagant price, but it often happens he misses the sale, and loses the article altogether, in consequence of his avaricious desires. We do not pretend to say, that it will fare thus with Spain; but we think with the Journal, that our government will not agree to give six millions for it, though Spain, like the British at Ghent, should relinquish the *sine qua non* of making the Mississippi the boundary of her Mexican dominions. The Chevalier de Onis may be a very good man, for ought we know, but if this is his demand for the Floridas, we think he is a bad salesman. Three more pamphlets will not have their desired effect.